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JIMMY L NEWMAN
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JIMMY L. NEWMAN,

15 Defendant.
16

Case No. 5:23-cr-00002-JLT-CDB

**STIPULATION TO MODIFY BRIEFING
SCHEDULE; ORDER**

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Chan Hee Chu, counsel for plaintiff, and Assistant
19 Federal Defender Laura Myers, counsel for Jimmy L. Newman, that the Court may modify the
20 briefing schedule for Mr. Newman's appeal of a magistrate judge decision.

21 On March 20, 2024, Mr. Raridan filed a timely Notice of Appeal. *See* ECF #11. That
22 same day, the Court issued its standard Briefing Schedule. *See* ECF #13. Under the Briefing
23 Schedule, Mr. Newman's opening brief is due 21 days after the filing of appropriate transcripts.
24 The transcript was filed April 15, 2024. *See* ECF #19. Accordingly, his opening brief is currently
25 due May 6, 2024, and the government's answering brief is due 21 days after the filing of Mr.
26 Newman's opening brief. *See id.* The Briefing Schedule further provides: "These periods may be
27 altered by the assigned Judge upon application of the parties" *Id.*

28 The parties have conferred and request that the Court alter the Briefing Schedule to

1 enable each party adequate time to review the record and conduct necessary research. The parties
2 have as follows: appellant's brief due June 3, 2024; appellee's brief due July 3, 2024; and
3 appellant's reply brief due July 17, 2024.

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5 Respectfully submitted,

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7 PHILLIP A. TALBERT
United States Attorney

8 Date: April 22, 2024

9 /s/ Chan Hee Chu
10 CHAN HEE CHU
Assistant United States Attorney
Attorney for Plaintiff

11 HEATHER E. WILLIAMS
Federal Defender

12 Date: April 22, 2024

13 /s/ Laura Myers
14 LAURA MYERS
Assistant Federal Defender
Attorney for Defendant
JIMMY L. NEWMAN

15
16 **ORDER**

17 Based upon the stipulation of counsel, the Court **ORDERS:**

- 18 1. Appellant's brief is due June 3, 2024;
19 2. Appellee's brief is due July 3, 2024;
20 3. Appellant's reply brief is due July 17, 2024.

21
22 IT IS SO ORDERED.

23 Dated: **April 22, 2024**

24 
UNITED STATES DISTRICT JUDGE